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3 **UNITED STATES DISTRICT COURT**
4 **WESTERN DISTRICT OF WASHINGTON**
5 **AT TACOMA**

6 LENIER AYERS,

7 Plaintiff,

8 v.

9 HENRI RICHARDS, et al.

10 Defendants.

NO. C08-5390 BHS/KLS

ORDER DENYING PLAINTIFF'S
MOTION FOR EXENSION OF TIME
TO RESPOND TO SUMMARY
JUDGMENT MOTION

Before the court is Plaintiff's Notice and Motion for Extension of Time to File Response to Defendants' Motion for Summary Judgment. Dkt. 197. Plaintiff filed this motion on April 8, 2010 while Defendants' motion for reconsideration was pending, and presumably in response to Judge Settle's Order that Plaintiff file a response by April 1, 2010. Dkt. 191. On April 23, 2010, Judge Settle granted the Defendants' motion for reconsideration and re-referred the case to the undersigned for consideration of Defendants' motion for summary judgment. *Id.* Defendants' motion for summary judgment (Dkt. 175) was reopened and re-noted for May 21, 2010. In light of these orders, Plaintiff's motion is moot.

Accordingly,

(1) Plaintiff's motion for an extension (Dkt. 197) is **DENIED**.

(2) The clerk is directed to send copies of this Order to Plaintiff and to counsel for Defendants.

DATED this 26th day of May, 2010.


Karen L. Strombom

Karen L. Strombom
United States Magistrate Judge

ORDER